

STAFF HEARING OFFICER MINUTES

DECEMBER 3, 2008

CALL TO ORDER:

The meeting was called to order at 9:01 a.m. by Susan Reardon, Staff Hearing Officer.

STAFF PRESENT:

Susan Reardon, Staff Hearing Officer Roxanne Milazzo, Associate Planner Kelly Brodison, Assistant Planner Gloria Shafer, Staff Hearing Officer Secretary

I. PRELIMINARY MATTERS:

A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

None.

B. Announcements and appeals.

None.

C. Comments from members of the public pertaining to items not on this agenda.

None.

II. PROJECTS:

ACTUAL TIME: 9:02 A.M.

A. <u>APPLICATION OF JOHN DEWEY, 915 N. ALISOS STREET, APN 029-315-008, R-2 TWO-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 12 UNITS PER ACRE (MST2008-00499)</u>

The 3,965 square foot project site is currently developed with a single family residence and detached garage. The proposed project involves demolition of the existing garage and replacement with a garage that will be 18" higher. The discretionary application required for this project is a <u>Modification</u> to permit the increase in the height of a building located within the required three-foot interior setback (SBMC §28.18.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

Present: John Dewey, Applicant; Matt Eastwood, Architect.

Roxanne Milazzo, Associate Planner, gave the Staff presentation and recommendation.

Ms. Reardon questioned how staff's alternative suggestions of grading the driveway or a installing French drain with drywell were considered by the applicant, and asked about potential off-site drainage impacts.

Mr. Eastwood explained that the entire lot slopes toward the garage, and drainage systems to handle water and silt require significant maintenance. In response to plan check corrections requiring positive drainage to the street to avoid drainage to neighboring properties, a 2% slope is proposed away from property line toward the swale.

The Public Hearing was opened at 9:08 a.m. As no one wished to speak no one wished to speak.

Ms. Reardon announced that she read the Staff Report for the proposed project and visited the site.

ACTION: Assigned Resolution No. 090-08

The Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed project allows for the existing garage location to be maintained in a structure that can function as a covered parking space, reuse of the existing slab and driveway ribbons, while providing a solution for the existing drainage issue.

The ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Planning Commission was announced.

ACTUAL TIME: 9:09 A.M.

B. <u>APPLICATION OF Y.S. KIM FOR DAVID THOMAS, 122 SKYLINE CIRCLE, APN 041-172-011, E-1 ONE FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2008-00507)</u>

The 10,324 square foot project site is currently developed with a single family residence and attached one-car carport. The proposed project involves the creation of an additional covered parking space for the site. The discretionary application required for this project is a <u>Modification</u> to permit the parking space to reduce the non-conforming open yard area (SBMC §28.15.060).

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The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

Roxanne Milazzo, Associate Planner, gave the Staff presentation and recommendation.

Present: Y. S. Kim, Architect.

Ms. Reardon questioned why the additional parking space is being requested, and whether the hedge is being reduced for visibility or for safety. Ms. Milazzo explained that a past addition over 50% s triggered the request. Mr. Kim stated that he and staff agreed that the first ten feet of hedge on either side of driveway would be reduced to 3 ½ feet for visibility.

The Public Hearing was opened at 9:14 a.m. As no one wished to speak, the public hearing was closed.

Ms. Reardon announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood.

ACTION: Assigned Resolution No. 091-08

The Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed reduction of the non-conforming open yard area will allow for the required parking for the property while still maintaining adequate open area that meets the intent but not the requirement of the Ordinance.

The ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Planning Commission was announced.

THE SHO RECESSED FROM 9:18 A.M. UNTIL 9:23

ACTUAL TIME: 9:23 A.M.

C. <u>APPLICATION OF GARY MOSEL, AGENT FOR JOHANNES AND URSULA BAUER, 1151 ALAMEDA PADRE SERRA, APN 029-282-003, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2008-00417)</u>

The 7,989 square foot project site is currently developed with a single family residence and detached two-car garage. The proposed project involves the demolition of the existing garage and the construction of a larger two-car garage with elevator. The discretionary applications required for this project are Modifications to permit the new construction to be located within the required thirty-foot front and ten-foot interior setbacks (SBMC §28.15.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303.

Present: Gary Mosel, Designer; Michael Haufman, Owner's Attorney.

Roxanne Milazzo, Associate Planner, gave the Staff presentation and recommendation.

Ms. Reardon questioned whether the trash enclosure is proposed to be relocated out of the public-right-of-way; why the additional two feet of garage space is requested; whether the garage would be demolished, rebuilt, or simply added onto; and whether moving the fence and gate back will cause visibility issues.

Ms. Milazzo stated that the trash enclosure will be relocated outside of the setback as part of the project. Mr. Mosel explained that a garage width of 22 feet rather than the usual 20 feet is required to provide sufficient disabled accessibility, however it is not proposed to meet ADA requirements; he stated that the existing garage frame and roof will be demolished and rebuilt. The slab, wall adjacent to the stairway proposed to be retained and the existing retaining walls will be maintained. Mr. Mosel explained that the fence will be relocated to provide a buffer between the garage and the slope. Ms. Milazzo added that keeping the fence in its current location would require a permit for encroachment onto city property.

Ms. Reardon announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood.

Ms. Reardon stated that she had concerns with the width of the garage but understands that the additional 2 feet which will encroach into the interior setback area will allow accessibility to the garage elevator and allowing the property owner to remain in the home. The garage could not be moved 2 feet given the existing tiled stairway which would be preserved.

The Public Hearing was opened at 9:32 a.m. As no one wished to speak, public hearing was closed.

ACTION: Assigned Resolution No. 092-08

The Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed encroachment into both the front and interior setbacks will allow the new structure to provide adequate dimensions for two vehicles, disabled access, preservation of the tiled stairs, removal of the structure from the public right-of-way, and an aesthetic improvement for the neighborhood.

Said approval is subject to the condition that removal of the existing Jacaranda Tree receives the necessary Park & Recreation Commission approval, and that a Zoning Compliance Declaration be recorded against the property's title.

The ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Planning Commission was announced.

ACTUAL TIME: 9:35 A.M.

D. <u>APPLICATION OF TOM JACOBS, ARCHITECT, FOR FRANCISCO JAVIER VILLARREAL AND CARLOS VILLARREAL, 1405 HARBOR VIEW DRIVE, APN 015-292-005, R-2/SD-3 ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 12 UNITS PER ACRE (MST2007-00278)</u>

The project consists of a proposal to demolish an existing 960 square foot single-family residence and 560 square foot detached garage and construct two (2), two-story, single-family residences each with an attached two-car garage. The first unit is proposed to be 1,474 square feet with a 451 square foot attached garage and the second unit is proposed to be 1,409 square feet with a 400 square foot attached garage. Total proposed development includes 3,734 net square feet on a 7,320 square foot parcel in the non-appealable jurisdiction of the Coastal Zone.

The discretionary application required for this project is a <u>Coastal Development Permit</u> (CDP2008-00016) to allow the proposed multi-family residential development in the non-appealable jurisdiction of the City's Coastal Zone (SBMC 28.44).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Sections 15303 (a) New Construction and 15301 (l) (1) Existing Facilities.

Present: Tom Jacobs, Architect.

Kelly Brodison, Assistant Planner, gave the Staff presentation and recommendation.

Ms. Reardon requested an explanation for having two separate driveways, clarification of the drainage plan, and modification, the purpose of the proposed building pop-outs. Ms. Reardon stated that as designed, the building pop-outs would require an open yard modification.

Mr. Jacobs stated that he studied the configuration in an effort to unite the two driveways; however the open space could not be configured to provide a noise buffer. The only alternative was to place a single driveway at the center of the property with the open space at the corner- a condition which would allow the open space to be unprotected from freeway noise and would require construction of a high wall exceeding wall height requirements. Mr. Jacobs explained that new regulations require a retention basin and a retention basin has been designed in the open yard area to carry drainage from the roof and open yard into the drainage system. Mr. Jacobs explained that the pop-out windows are designed as desk areas in the existing modest bedrooms.

The Public Hearing was opened at 9:49 a.m. As no one wished to speak, the Public Hearing was closed.

Ms. Reardon announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood. Ms. Reardon stated that the modification requests for the building pop-outs could not be considered at this time because they were not noticed as part of the application. The applicant agreed to continue the project two weeks to allow noticing of the modifications.

The project was continued to December 17, 2008 to allow noticing of the requested modifications.

III. ADJOURNMENT

The meeting was adjourned at 9:57 a.m.

Submitted by,

Gloria Shafer, Staff Hearing Officer Secretary

Date

12-08-2008